



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3503 FAX (603) 271-5171



October 2, 2003

LETTER OF DEFICIENCY #WSEB 03-262
CERTIFIED MAIL 7099 3400 0003 0690 2411

Violetta Samson
Marias Pizza Pasta and Things, Inc.
149 Province Road
Barnstead, NH 03218

Subject: Chichester - Public Water System: Marias Pizza Pasta and Things (EPA #0458050)

Dear Ms. Samson:

The records of the Department of Environmental Services (DES) show that the Marias Pizza Pasta and Things water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more services, or 25 or more people, for 60 or more days per year. As such, the water system owner is required to submit samples to the State laboratory or a State-certified laboratory for coliform bacteria analysis in compliance with NH Admin. Rule Env-Ws 325.

DES records show that the subject water system failed to submit bacteria samples and as a result Monitoring/Reporting (M/R) violations were issued for the following months:

February 2003 and August 2003

In view of the Monitoring/Reporting violations, DES believes the deficiencies can be corrected by taking the following actions:

By October 16, 2003, submit a water "make up" sample for bacteria analysis to the state laboratory, or a state-certified laboratory, in accordance with NH Admin. Rule Env-Ws 325.

Please continue to submit water samples according to the water system's Master Sampling Schedule enclosed.

Pursuant to Env-Ws 351, owners of public water systems are required to issue public notification when a system has failed to monitor for bacteriological water quality. DES records show that the water system has failed to perform public notification for the February 2003 monitoring violation. Additionally, to date the water system has not submitted proof of public notice for the August 2003 monitoring violation.

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In view of the public notice violations, DES believes the deficiencies can be corrected, and future violations prevented, by taking the following actions:

- 2 **By October 30, 2003** carry out the public notice requirements for the February 2003 and August 2003 sampling violations; and

By November 13, 2003, provide proof of public notice to DES.

In the event compliance is not achieved within this period, DES may take further enforcement action, including issuing an order requiring the deficiencies be corrected, initiating an administrative fine proceeding and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

Please contact Anne Bailey by phone at (603) 271-0672 or by e-mail at abailey@des.state.nh.us if you have any questions regarding this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony P. Giunta", is written over a large, bold, black "COPY" stamp.

Anthony P. Giunta, P.G., Administrator
Water Supply Engineering Bureau

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Enclosure: Master Sampling Schedule

cc: Gretchen Rule, DES Legal Unit
 Town of Chichester Health Officer
 NH Dept. H&HS Restaurant Licensing
 EPA, Region 1
 (all w/out enclosure)